

Message Text

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70

ACTION IO-13

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TO AMEMBASSY SANTIAGO

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E.O. 11652: N/A

TAGS: SHUM, CI

SUBJECT: COMMITTEE ON ELIMINATION OF RACIAL DISCRIMINATION -
CHILE

REF: SANTIAGO 7909

1. THE COMMITTEE ON ELIMINATION OF RACIAL DISCRIMINATION WAS ESTABLISHED IN 1969 FOLLOWING THE ENTRY INTO FORCE OF THE INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION. THE COMMITTEE IS AN 18- MEMBER BODY COMPOSED OF EXPERTS SERVING IN THEIR PERSONAL CAPACITY AND ELECTED BY STATES PARTIES. THE COMMITTEE HOLDS TWO SESSIONS A YEAR TO EXAMINE PERIODIC REPORTS SUBMITTED BY STATES PARTIES ON LEGISLATIVE, JUDICIAL, ADMINISTRATIVE OR OTHER MEASURES WHICH THEY HAVE ADOPTED PURSUANT TO THE PROVISIONS OF THE CONVENTION. THE COMMITTEE REPORTS ANNUALLY TO THE GENERAL ASSEMBLY AND MAY MAKE SUGGESTIONS AND RECOMMENDATIONS BASED ON ITS EXAMINATION OF THE REPORTS. SUCH SUGGESTIONS AND RECOMMENDATIONS ARE USUALLY PRESENTED TO THE GENERAL ASSEMBLY TOGETHER WITH THE OBSERVATIONS, IF ANY, WHICH THE STATES PARTIES HAVE TO OFFER. AS OF JULY 25, 1976 NINETY-ONE STATES, INCLUDING CHILE, HAD RATIFIED THE CONVENTION. THE UNITED STATES IS NOT A PARTY.

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THE EIGHTEEN MEMBERS OF THE COMMITTEE CURRENTLY REPRESENT

EGYPT, NIGERIA, PHILIPPINES, NETHERLANDS, GHANA, FRG,
KUWAIT, ECUADOR, MOROCCO, BULGARIA, USSR, PANAMA, INDIA,
FRANCE, YUGOSLAVIA, IRAN, AUSTRIA AND ARGENTINA.

2. AT THE CURRENT SESSION (AUG 2-20) THE THIRD PERIODIC
REPORT SUBMITTED BY CHILE WAS SCHEDULED FOR CONSIDERATION,
ALONG WITH 18 OTHER STATE REPORTS. AT THE OPENING MEETING,
THE COMMITTEE MEMBER FROM THE SOVIET UNION STATES THAT HE
HAD DOUBTS ABOUT DISCUSSING THE THIRD PERIODIC REPORT OF
CHILE. HE SUGGESTED THAT IN LIGHT OF THE CIRCUMSTANCES
THAT PREVAIL, WHEN A GOVERNMENT REFUSES TO COOPERATE WITH
A NUMBER OF UNITED NATIONS BODIES CONCERNED WITH QUESTIONS
OF HUMAN RIGHTS ... HE WOULD SUGGEST THAT THE ITEM BE
DELETED AND CONSIDERATION OF THE REPORT BE DEFERRED UNTIL
THE SPRING 1977 SESSION. THE DIRECTOR OF THE HUMAN RIGHTS
DIVISION THEN STATED THAT THE REPORT OF CHILE WOULD NOT BE
CONSIDERED AT THE CURRENT SESSION, AS HE HAD RECEIVED A
LETTER DATED JULY 30, 1976 FROM THE PERMANENT REPRESENTATIVE
OF CHILE STATING THAT HIS GOVERNMENT WOULD LIKE CONSIDERATION
OF THE REPORT TO BE DEFERRED UNTIL THE SPRING 1977 SESSION.

COMMENT: WE WOULD NOT EXPECT ANY FALL-OUT DUE TO THE
CHILEAN REQUEST FOR DEFERRAL OF CONSIDERATION OF ITS
REPORT. AS ADHERENCE TO THE CONVENTION IS VOLUNTARY AND
REPORTS ARE SELF-SERVING, THE COMMITTEE'S REPORT HAS NOT
BEEN A MAJOR ITEM OF INTEREST AT THE GENERAL ASSEMBLY.
DUE TO LACK OF TIME, THE GENERAL ASSEMBLY DID NOT EVEN
CONSIDER THE COMMITTEE'S REPORT AT THE 1975 SESSION. WE
ASSUME THE CHILEAN GOVERNMENT TOOK THESE FACTORS INTO
ACCOUNT AND DECIDED TO COMPLY WITH THE LETTER OF THE LAW
BY SUBMITTING A REPORT ON SCHEDULE AND THEN TO VIOLATE THE
SPIRIT BY SEEKING POSTPONEMENT OF ITS CONSIDERATION IN
ORDER TO AVOID DISCUSSION OF THE CHILEAN HUMAN RIGHTS
SITUATION BY YET ANOTHER UN BODY PRIOR TO THE 31ST GENERAL
ASSEMBLY AT WHICH THE HUMAN RIGHTS COMMITTEE AD HOC
WORKING GROUP WILL PRESENT ITS REPORT.
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